

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re Affymetrix Derivative Litigation

NO. C 06-05353 JW

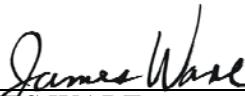
**ORDER VACATING CASE  
MANAGEMENT CONFERENCE**

On January 26, 2009, the parties are scheduled to appear for a Case Management Conference. The parties have timely filed a Joint Case Management Statement. (See Docket Item No. 130.) In their Joint Statement, the parties represent that they have made progress toward a mediated resolution of this action and request additional time to proceed with mediation before holding a conference with the Court. Based on this representation, the Court finds that a Case Management Conference is unnecessary at this time.

Accordingly, the Court VACATES the January 26, 2009 Case Management Conference. The parties shall instead appear for a Case Management Conference on **March 23, 2009 at 10:00 a.m.** On or before **March 13, 2009**, the parties shall file a Joint Status Report, in which they shall apprise the Court of their progress toward settlement.

In light of this extension, the Court encourages the parties to use the time and work in good faith to reduce their settlement to a writing. Otherwise, the parties shall propose a schedule to advance this case in their Joint Status Report.

Dated: January 21, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**United States District Court**

For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Alan R Plutzik aplutzik@bramsonplutzik.com  
Alan Roth Plutzik aplutzik@bramsonplutzik.com  
3 Angela Lucille Dunning adunning@cooley.com  
Arthur Joseph Burke arthur.burke@dpw.com  
4 Barbara A. Caulfield bcaulfield@dl.com  
Benny Copeline Goodman bennyg@csgrr.com  
5 Eric L. Zagar ezagar@sbtklaw.com  
Jeffrey Michael Kaban kabanjm@cooley.com  
6 John C. Dwyer dwyerjc@cooley.com  
John Walter Downing jdowning@dl.com  
7 Kathryn Anne Schofield kschofield@bramsonplutzik.com  
Lawrence Timothy Fisher ltfisher@bramsonplutzik.com  
8 Peter Edward Root proot@dl.com  
Rajat Soni rajat.soni@dpw.com  
9 Robin Winchester rwinchester@sbtklaw.com  
Travis E. Downs travisd@csgrr.com  
10

11 **Dated: January 21, 2009**

**Richard W. Wieking, Clerk**

12 By: /s/ JW Chambers  
13 Elizabeth Garcia  
14 Courtroom Deputy

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28